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Your Ref: NYM/2019/0809/FL

Our Ref: R 2295

7 July 2020

NYMNPA

09/07/2020

National Park Officer
North York Moors National Park
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

For the attention of Mrs Ailsa Teasdale

Dear Mrs Teasdale

CONVERSION OF REDUNDANT FARM BUILDINGS TO FORM A LOCAL OCCUPANCY DWELLING AT BORROWBY BARN HINDERWELL

Further to our recent telephone conversation in connection with the above proposal I now enclose a copy of the Bat Survey recently carried out by Quants Environmental. These dusk emergence bat surveys should be read in conjunction with the findings of the bat roost potential survey carried out in December of last year.

Also enclosed is a copy of a statement prepared by my clients relating to the listing of Holme Farmhouse and its forecourt which are situated on the High Street frontage some way distant from the application site.

I have had lengthy conversations with Mr Wharton on this matter and we have looked carefully at advice and guidance prepared by Historic England in its Advice Note 10, relating to the listing of houses on farms.

Since the date of the listing, Holme Farmhouse has not been occupied in association with any farming at the site. It was either unoccupied or rented out to workers at Boulby Mine whilst the agricultural land and buildings formed part of an enterprise run from West End Farm. The property was sold in 2013. Since then the house and its associated outbuildings have formed one property and the farm buildings and land have formed another. The two units are clearly separated by the domestic outbuildings.

Given the recent history of the farmhouse, its outbuildings, and farm land and buildings beyond, together with clear and detailed advice prepared by Historic England, we are of the view that the farm buildings do not form part of the curtilage of the listed building, and as such no listed building application is required for the proposed conversion.

We trust that you will now be able to proceed with the determination of the planning application. Should you require any further information, please do not hesitate to contact me.

Yours sincerely

Paul Elm

encs

NYMNP

09/07/2020

Borrowby Barn, Hinderwell Saltburn-by-the-Sea, North Yorkshire

Bat Survey

July 2020

Report reference	1366
Revision	1
Prepared by	Thomas McQuillan
Approved by	Andrew Westgarth
Issue date	2 nd July 2020

This report is valid for a period of 12 months from the issue date.

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1 Introduction

- 1.1.1.1 This report presents the results of a Bat Survey undertaken at Borrowby Barn, Hinderwell, Saltburn-by-the-Sea, North Yorkshire, TS13 5ET. The survey has been completed to provide supporting information for a planning application for the proposed development at the site¹.
- 1.1.1.2 The site is located at OS grid reference NZ79291670 at an altitude of ~88 m above sea level and comprises of a barn located centrally within the village of Hinderwell to the south of High Street. The site is located 1.8 km to the south of Staithes and 1.5 km to the west of the coastal village of Runswick Bay (Figure 1).
- 1.1.1.3 The aim of the survey was to determine the potential for the proposed development to affect protected/notable species and habitats, and to provide recommendations for mitigation and/or compensation input if required. The survey was completed to inform planning decisions in relation to the proposed development.
- 1.1.1.4 This report presents the findings of a Bat Roost Potential Survey undertaken on 16th December 2019 and Dusk Emergence Bat Surveys undertaken on 9th June and 29th June 2020.

Figure 1. Approximate site location shown by red line (aerial imagery dated 2018).



¹ The proposed development works will include the conversion of the existing buildings to create a dwelling.

2 Methodology

2.1 Desk Study

2.1.1.1 North Yorkshire Bat Group (NYBG) was contacted for bat records within a 2 km radius of the site. In addition, the following web sources were searched for statutorily protected sites and additional ecological data of most relevance: Multi-Agency Geographic Information for the Countryside (MAGIC), Ordnance Survey 1:25,000 mapping and aerial imagery (dating 2001, 2002, 2006, 2009, 2012, 2018 and 2019).

2.2 Personnel

2.2.1.1 The survey was undertaken by Thomas McQuillan MCIEEM^{2 3}.

2.3 Bat Scoping Survey and Inspection Survey

2.3.1.1 The building proposed for development was subject to detailed external and internal inspections for signs of bats on 16th December 2019. This involved searching the exterior and interior of the building for signs of bats such as droppings and for potential bat roost locations. The survey was undertaken in accordance with current good practice guidelines^{4 5}.

2.3.1.2 The building was assessed in terms of its potential to support bat roosts using the following categories:

- Negligible potential.
- Low potential.
- Moderate potential.
- High potential.
- Confirmed roost.

2.3.1.3 As part of the survey, an overview ecological appraisal was completed, with the aim being to gather sufficient baseline information on the habitats within the site in order to allow an interpretation of the associated ecological value. In addition, the site was searched for incidental evidence of protected / notable fauna and assessed in terms of its potential to support protected / notable fauna including species listed within European, national and local legislation and policies.

2.3.1.4 The features subject to visual assessment included the barn proposed for conversion and land adjacent where access was available. The weather conditions at the time of survey were: 4°C, 5 % cloud and wind 1 (Beaufort Scale).

2.4 Dusk Emergence Bat Surveys

2.4.1.1 Dusk emergence bat surveys were undertaken at the site on 9th and 29th June 2020.

2.4.1.2 One surveyor was present on site during each survey; one surveyor was sufficient to cover the Potential Roost Features (PRFs) on the south and west elevations of the barn.

2.4.1.3 Good views of all PRFs on the building proposed for conversion were held during each survey. The surveyor used Pettersson D200 heterodyne and Echo Meter Touch 2 bat detectors.

² Natural England Class Licence Registration No. 2015-11312-CLS-CLS - CL18 Level 2 (Bats).

³ Natural England Class Licence Registration No. WML- CL09:2014-6237-CLS-CLS (Great Crested Newts).

⁴ Hundt L (2012) Bat Surveys: Good Practice Guidelines, 2nd edition, Bat Conservation Trust. ISBN-13: 9781872745985.

⁵ Bat Survey Requirements, Minimum Standards in North Yorkshire Version 1; North Yorkshire Bat Group; 12/11/2013

- 2.4.1.4 The dusk emergence survey conditions are summarised in Table 1. The surveys were undertaken in accordance with current good practice guidelines⁶.

Table 1. Bat Survey Conditions

Date	9 th June 2020	29 th June 2020
Sunset	21:34	21:40
Survey duration	21:20 – 23:00	20:30 – 23:00
Weather conditions	14.6°C – 10.8°C, dry, cloud 100 %, wind Bft 1 and humidity 71 % - 87 %.	13.1°C – 12.1°C, dry, cloud 0 %, wind Bft 2-3 and humidity 77% - 87%.

2.5 *Limitations*

- 2.5.1.1 There were no significant access issues to the barn. Given the objectives of the bat roost potential survey it is considered that there were no significant survey limitations.
- 2.5.1.2 The dusk emergence surveys were undertaken within the main bat survey season (May to August/September inclusive).

⁶ Hundt L (2012) Bat Surveys: Good Practice Guidelines, 2nd edition, Bat Conservation Trust. ISBN-13: 9781872745985.

3 Results

3.1 Desk Study

- 3.1.1.1 The North Yorkshire Bat Group records are presented in Appendix 3. NYBG holds nine records within the search area; species include noctule, common pipistrelle, pipistrelle and brown long-eared. Notable records include a common pipistrelle maternity roost 215 m to the west at 26 Porret Lane, Hinderwell – 35 individuals recorded in August 2011. There is a September record of an injured bat at NZ7916 within the village of Hinderwell and several records within the surrounding villages of Dalehouse and Staithes. There are no bat records for the surveyed building.
- 3.1.1.2 There are no statutorily designated nature conservation sites within or adjacent to the application site. *Staithes – Port Mulgrave SSSI*⁷ is located 0.87 km to the north of the site with *Runswick Bay SSSI* located 1.42 km to the east of the site.
- 3.1.1.3 The large areas of woodland, associated with Dales Beck, to the south and west of the site are classified as Broadleaved Woodland on the National Forest Inventory and include areas of Ancient and Semi-Natural Woodland and Ancient Replanted Woodland.

3.2 Bat Scoping Survey

3.2.1 Building Description

- 3.2.1.1 The agricultural barn is located centrally within the village of Hinderwell and includes three distinct sections as described below.
- 3.2.1.2 The northern part of the barn is of single skin sandstone construction and was considered to be in a moderate state of repair. The building measures approximately 11 m (L) by 6 m (W) and is used for general storage. The barn has a pitched roof with east and west elevations; the barn has a timber roof structure with a covering of concrete roof and ridge tiles (all present). Timber framed doors and windows are located on the north, east and west elevations; these have stone lintels. Sandstone coping stones are located on the northern and southern gable walls of the barn. There is no vegetation on the external elevations of the barn. Bitumastic felt is located beneath the roof tiles. Guttering is present on the east and west elevations. The arrow slit windows, notably on the southern elevation of the building, have Perspex sheeting within. Internally, the barn contains a single room with a small first floor hay loft on the northern part of the building. The first-floor area is accessed via the external stone steps on the northern elevation of the barn. There are numerous cracks and crevices within the internal and external walls where the mortar has failed and/or where timbers associated with adjacent barns removed. There is no enclosed loft void with the single room open to the underside of the roof. The barn has an internal concrete floor. Appendix 2: Photos 2, 3 and 5.
- 3.2.1.3 The central part of the barn measures approximately 7 m (W) x 8 m (L) and has sandstone external walls with no roof and was considered to be in a poor state of repair. This part of the barn is not in use and is empty. The walls and timber lintels above the windows are damp and exposed to the elements (rain and wind). There is an opening (former doorway) on the western elevation of the central part of the barn. Appendix 2: Photo 4.
- 3.2.1.4 The southern part of the barn is of redbrick construction and includes a small lean-to measuring approximately 3 m (L) x 4 m (W). This part of the barn has a pitched roof with east and west elevations. A timber roof structure is located beneath a covering of clay pan tiles (majority of roof tiles are present). Dense ivy growth was present on the eastern elevation of the roof. The barn is open on the southern elevation. This part of the barn is not in use. Appendix 2: Photo 1.
- 3.2.1.5 The barn is surrounded by hardstanding and compacted earth with encroaching ruderal vegetation. Further barns and converted buildings are located to the north and east of the barn.

⁷ SSSI – Site of Special Scientific Interest. SAC – Special Area of Conservation. SPA – Special Protection Area.

3.2.2 *Evidence of Bats and Bat Roost Potential*

- 3.2.2.1 Evidence (bat droppings) to indicate bat roosting activity was recorded within the barn proposed for conversion; six bat droppings were recorded on stored items close to the southern internal wall on the northern part of the barn; see Photos 5 and 6 in Appendix 2.
- 3.2.2.2 The northern part of the barn was considered to hold features of moderate potential to support roosting bats. Typical roost features include crevices on the external and internal elevations of the barn and under the roof coping stones.
- 3.2.2.3 The central part of the surveyed barn was considered to hold features of negligible potential to support roosting bats. With no roof on this part of the barn the exposure to the elements made this structure unsuitable for roosting bats.
- 3.2.2.4 The southern part of the surveyed barn was considered to hold features of low potential to support roosting bats. Typical roost features include gaps and crevices under the roof tiles and between the roof timbers.
- 3.2.2.5 There was no evidence to indicate the presence of a large roost or maternity roost; with roosting activity most likely to be summer day roosts used by low numbers of male or non-breeding females.
- 3.2.2.6 No other features, such as trees or hedgerows, which may be of potential value to roosting bats, would be impacted by the development proposals.

3.2.3 *Habitat Description*

- 3.2.3.1 Habitats within the immediate and wider vicinities, notably to the west, were considered to be optimal for foraging and commuting bats. The agricultural and residential buildings within the village of Hinderwell provide a range of roosting opportunities with extensive, well-connected foraging habitat within the local area.

3.2.4 *Other Considerations*

- 3.2.4.1 There are numerous opportunities for birds to nest within barn proposed for conversion. Evidence of previous nesting activity was recorded within the northern and southern parts of the barn. The openness of the central part of the barn made this area unsuitable for nesting birds.
- 3.2.4.2 The surveyed barn was considered ideal for nesting birds, such as wren, blackbird and house sparrow. Six swallow nesting features were recorded within the northern part of the barn. No active swallow nesting activity was recorded in the barn during the June 2020 visits.
- 3.2.4.3 No evidence of barn owl was recorded within the building.
- 3.2.4.4 It is not considered that the proposed developments will impact otter, water vole, hedgehog, badger or reptile species.

3.3 Dusk Emergence Bat Surveys

- 3.3.1.1 During the dusk emergence bat survey on 9th June 2020, one common pipistrelle bat was recorded to emerge from a roosting location on the southern elevation of the barn; the roosting location is shown in Appendix 2; Photo 7, and is a crevice under a coping stone on the southwest elevation of the barn (Roost 1). Moderate levels of bat activity from common pipistrelle, soprano pipistrelle and *Myotis sp.* bats were recorded during the survey. Survey results shown in Table 2.

Table 2. Dusk Emergence Bat Survey Results (09/06/2020)

Time	Notes
TM - positioned to southwest of the barn	
21:15	Two common pipistrelle bats commuting to the east of the site; very early at 21:15.
21:32	Common pipistrelle bat pass – not seen
21:41	One common pipistrelle exited roost on the southern elevation of a barn; roost is located under a coping stone on the southwest elevation. See Appendix 2; Photo 7. Roost 1.
21:44	Common pipistrelle foraging pass
21:49	Soprano pipistrelle foraging pass
21:50	Soprano pipistrelle foraging two passes
21:57	Common pipistrelle east to southwest
22:19	Common pipistrelle foraging pass
22:32	<i>Myotis sp.</i> bat foraging around the barn

- 3.3.1.2 During the dusk emergence bat survey on 29th June 2020, one common pipistrelle bat was recorded to emerge from a roosting location on the southern elevation of the barn; the roosting location is shown in Appendix 2; Photo 7 as Roost 2. Low levels of bat activity from common pipistrelle and noctule bats were recorded during the survey. Survey results shown in Table 3.

Table 3. Dusk Emergence Bat Survey Results (29/06/2020)

Time	Notes
TM - positioned to southwest of the barn	
22:10	Common pipistrelle pass to west of barn – going north > south
22:19	Pipistrelle pass – going north > south
22:21	Common pipistrelle foraging in open barn to south of main barn. And at 22:23.
22:24	Three common pipistrelle bats pass to west of barn – going north > south
22:38	Common pipistrelle pass to west of barn – going south > north
22:39	Common pipistrelle foraging in open barn to south of main barn
22:44	One common pipistrelle exited roost on the southern elevation of a barn; roost is located between two stones where the pointing has failed. See Appendix 2; Photo 7. Roost 2.
22:47	Common pipistrelle foraging in open barn to south of main barn
22:51	Noctule pass – not seen
22:52	Common pipistrelle foraging pass

4 Conclusions and Recommendations

4.1 Conclusions

- 4.1.1.1 There are no historic records for bat species within the surveyed site, although there are several records of bat species within the village of Hinderwell and nearby villages of Dalehouse and Staithes.
- 4.1.1.2 Evidence (bat droppings) to indicate bat roosting activity was recorded within the barn proposed for conversion; six bat droppings were recorded on stored items close to the southern internal wall on the northern part of the barn. A low number of droppings such as this would indicate the presence of a summer day roosts used by low numbers of male or non-breeding females.
- 4.1.1.3 The northern part of the barn was considered to hold features of moderate potential to support roosting bats. Typical roost features include crevices on the external and internal elevations of the barn and under the roof coping stones.
- 4.1.1.4 The central part of the surveyed barn was considered to hold features of negligible potential to support roosting bats.
- 4.1.1.5 The southern part of the surveyed barn was considered to hold features of low potential to support roosting bats. Typical roost features include gaps and crevices under the roof tiles and between the roof timbers.
- 4.1.1.6 During the dusk emergence bat survey on 9th June 2020, one common pipistrelle bat was recorded to emerge from a roosting location (Roost 1) on the southern elevation of the barn; the roosting location is shown in Appendix 2; Photo 7, and is a crevice under a coping stone on the southwest elevation of the barn.
- 4.1.1.7 During the dusk emergence bat survey on 29th June 2020, one common pipistrelle bat was recorded to emerge from a roosting location (Roost 2) on the southern elevation of the barn; the roosting location is shown in Appendix 2; Photo 7.
- 4.1.1.8 The survey findings would indicate that the surveyed building contains two common pipistrelle daytime roosts (Roosts 1 and 2) used by low numbers of males or non-breeding females. A maximum of one common pipistrelle bat was recorded to emerge from each roost during the surveys.
- 4.1.1.9 There was no evidence to indicate the presence of a large roost or maternity roost; with roosting activity considered to be summer day roosts used by low numbers of male or non-breeding females. No other features, such as trees or hedgerows, which may be of potential value to roosting bats, would be impacted by the development proposals. The surrounding habitats are favourable to bats in terms of connectivity to the site and foraging value.
- 4.1.1.10 The surveyed barn was considered ideal for nesting birds, such as wren, blackbird and house sparrow. Six swallow nesting features were recorded within the barn, although no nesting activity was recorded during the June 2020 site visits. No evidence of barn owl was recorded within the building.

4.2 Recommendations

4.2.1 Bats

4.2.1.1 This report concludes that the building proposed for development is used by low numbers of common pipistrelle bats as a summer day roost. One of these roosts (Roost 1) will be impacted (lost) by the development and therefore suitable mitigation and compensation input will be required. It is possible to retain the roost (Roost 2) in the gap between the stones on the southern elevation.

4.2.1.2 A European Protected Species Mitigation (EPSM) licence will be required in order to permit works which would result in the damage, destruction, or blocking of access to, a breeding site or resting place used by a European Protected Species (including all bat species). NE is able to issue EPSM licences upon the presentation of evidence-based and proportionate mitigation provided the following '3 tests' are met:

1. That the action is for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature;
2. That there is no satisfactory alternative; and
3. That the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range.

4.2.1.3 Natural England aims to process licence applications in 30 working days. If a period of time elapses after the date of the most recent bat surveys (2020) and before the commencement of the proposed works, it may be necessary to undertake update surveys to confirm whether: a) an EPSM licence is required (i.e. whether the work will result in the damage, destruction, or blocking of access to, a breeding site or resting place used by a bat; and b) whether there are any satisfactory alternatives (see 2nd of the 3 tests above) which would negate the need for an EPSM licence. NE is only able to issue an EPSM licence if the '3 tests' are met and if the works would otherwise result in an offence. NE is not able to issue a licence on a precautionary basis, e.g. if there is not robust evidence that a bat's resting place would be damaged/ destroyed.

4.2.1.4 Mitigation and compensation input which would be applied as part of the EPSM licence would include:

Mitigation Strategy

4.2.1.5 Immediately before the commencement of works, the licensed bat ecologist will provide a toolbox talk to the contractors explaining the presence of bats, their legal protection, roles and responsibilities, the proposed method of working and procedures should bats or evidence of bats be found.

4.2.1.6 The licensed ecologist will carry out searches including an endoscopic inspection for bats and evidence of bats such as droppings immediately prior to the work. The licensed ecologist will supervise the hand removal of the 'high roost risk' sections of the building (coping stones) and around the roost locations and will be present on site until it can be satisfactorily concluded that bats are very likely to be absent from the building. The method for roost destruction for the roost (Roost 1) under the coping stone will be destructive search by soft demolition.

4.2.1.7 The proposal would be to retain the common pipistrelle day roost (Roost 2) in the gap between the stones on the southern elevation; to retain this roost the crevice between the stones where the pointing has failed would be retained and not pointed. The ecologist would confirm the location of the roost access crevice as part of the toolbox talk to ensure it is retained.

4.2.1.8 The licensed ecologist will aim to ensure that materials are removed carefully in order to minimise the chance of injuring or killing any bats present, e.g. lifting the coping stones carefully upwards and checking as each piece as it is removed.

- 4.2.1.9 In the unlikely event of bats or evidence of bats such as droppings being found during development works, the contractors will stop immediately and the licensed ecologist will liaise with Natural England on the subsequent development procedures and licencing requirements.
- 4.2.1.10 If a bat is discovered at other, unsupervised times, work will cease immediately and the ecologist will be called for advice. This advice will include leaving the bat to disperse of its own accord, or wait for the licensed handler to appear and move the bat. Builders and contractors are explicitly forbidden from handling bats.

Compensation Strategy

- 4.2.1.11 Compensation would detail temporary and permanent roost provision as part of the development.
- 4.2.1.12 Temporary compensation input would include one bat box (Schwegler 1FF or similar), which would be installed within an open fronted barn to the south prior to the commencement of works. Any bats found during the development works would be placed within these bat boxes.
- 4.2.1.13 Permanent compensation input would include replicating the existing roosting points that will be lost during development.
- 4.2.1.14 Roost 1: this roost will be lost during developments, therefore to compensate for the loss of the roost under the coping stones the following would be provided. Four small gaps would be created in the new mortar when the coping stones are re-laid. These would be located under the coping stones on the south-west elevation (same location as existing roost). The size and location of the small gaps would be guided by the ecologist to replicate the existing roost access point (the existing gap would be measured prior to removing the coping stone). The gaps would provide access into the hollow area under the coping stones creating an ideal roosting location for common pipistrelle bats.
- 4.2.1.15 Roost 2: based on retaining this roost no compensatory roosting features would be required.
- 4.2.1.16 The positioning of the bat box and permanent compensation features should be guided by an experienced ecologist to increase the chance of occupancy (avoiding overhanging vegetation, artificial light etc).

4.2.2 Birds

- 4.2.2.1 All wild birds in the UK are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to intentionally kill, injure or take any wild bird or take, damage or destroy the nest (whilst being built or in use) or its eggs.
- 4.2.2.2 The barn conversion works should be completed outside of March to August (inclusive). Alternatively, if such work is required during the breeding bird season, a breeding bird survey check must be undertaken in order to confirm absence or presence of nest sites. If an active nest is found within the site, it must be avoided until the nest is no longer in use which may cause delays to the development.
- 4.2.2.3 To enhance the nesting opportunities for birds within the site the following is recommended:
- Two general species artificial bird nesting boxes are included as part of the development. These should be suitable for species such as house sparrow, blue tit and blackbird.
 - Two swallow cups are installed within the southern part of the barn to compensate for the loss of nesting habitat on site. The southern part of the barn will be retained as a carport/storage area.
 - The nesting boxes should be installed at under the guidance of the ecologist.

Appendix 1. Legislation and Conservation Context

Bats

Bats are fully protected through The Conservation of Habitats and Species Regulations 2010 as European Protected Species (EPS). They also receive some protection through inclusion in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

It is an offence to deliberately capture, injure or kill a bat. It is an offence to damage or destroy a breeding site or resting place of a bat. It is an offence to deliberately disturb a bat; in particular any disturbance which is likely (a) to impair their ability - (i) to survive, to breed or reproduce, or to rear or nurture their young, or (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate; or (b) to affect significantly the local distribution or abundance of the species to which they belong.

Under the Wildlife and Countryside Act 1981 (as amended), it is also an offence to intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for shelter or protection; or obstruct access to any structure or place which any such animal uses for shelter or protection.

The 'appropriate authority' (Natural England in England) has powers to issue licences for various purposes including - (a) scientific or educational purposes... and (e) preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment. The appropriate authority shall not grant a licence under this regulation unless they are satisfied - (a) that there is no satisfactory alternative, and (b) that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range. It is an offence for any person authorised by virtue of a licence to which this paragraph applies to contravene or fail to comply with any condition which the licence requires him to comply with.

Nesting Birds

All wild birds in the UK are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) which makes it an offence to intentionally kill, injure or take any wild bird or take, damage or destroy the nest (whilst being built or in use) or its eggs. Bird species listed in Schedule 1 of the 1981 Act, e.g. barn owl, receive further protection which makes it an offence to intentionally or recklessly disturb these species while building a nest or in, on or near a nest containing eggs or young; or to disturb dependent young of such a bird.

Appendix 2. Photographs

Photo 1. Western and southern elevations of the surveyed barn.



Photo 2. Western and southern elevations of the northern part of the surveyed barn.



Photo 3. Eastern and northern elevations of the northern part of the surveyed barn.



Photo 4. Internal area of the central part of the barn.



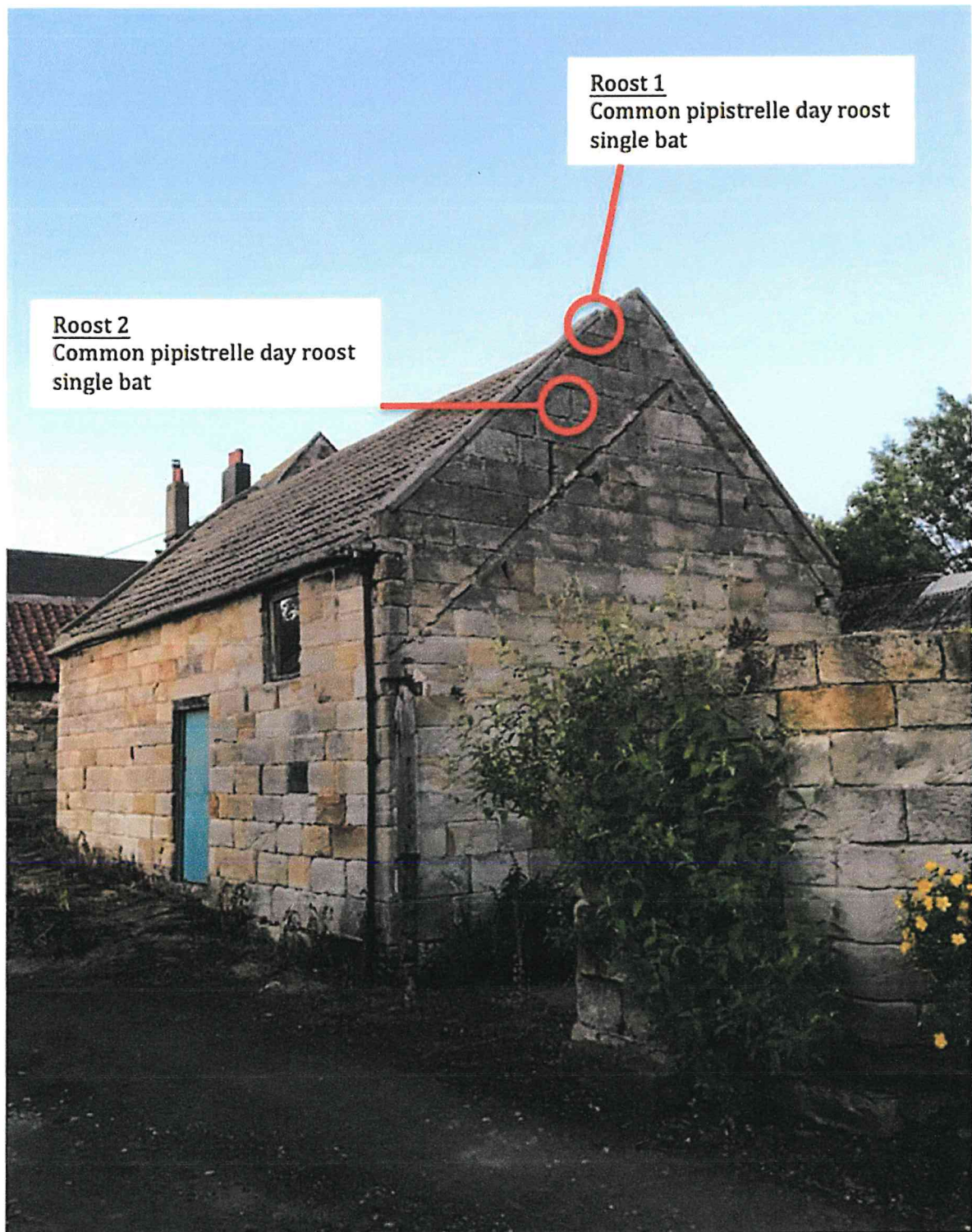
Photo 5. Internal area of the northern part of the surveyed barn. red arrows show locations of bat droppings.



Photo 6. Bat droppings (red circles) recorded on stored items within the northern part of the barn



Photo 7. Red circles show the two common pipistrelle day roosts recorded during the dusk emergence bat surveys in June 2020.



Appendix 3. NYBG Records

Species	Site	Grid ref.	Quantity	Date	Comment
Noctule Bat	Fern Farm, Dalehouse	NZ777178	1	14-Jul-07	In flight
Common Pipistrelle	Fern Farm, Dalehouse	NZ777178		14-Jul-07	Emerged from nearby cottage roof
Common Pipistrelle	NZ776178	NZ776178	1	02-Jun-07	In flight
Common Pipistrelle	26 Porret Lane, Hinderwell	NZ791168	35	02-Aug-11	Maternity roost
Common Pipistrelle	Location as grid reference	NZ776178	1	02-Jun-07	
Brown Long-eared	Seaton Hall	NZ781178		2008	In flight
Pipistrelle species	Staites	NZ7818		22-Apr-85	
Unknown	Hinderwell	NZ7916		12-Sep-04	Injured bat
Unknown	Warp Mill, Staites	NZ780182	1	24-Jun-03	Maternity roost

Introduction

Please find below an explanation of the Grade II Listed Building entry, an excerpt from a letter from the planning officer, giving reasons for why the barn should be considered to be part of the listing, and our reasons for contesting this assumption.

Listing information

Holme Farm, Hinderwell was listed in December 1985 with a detailed description of the front of the farmhouse and the front garden wall.

Heritage Category: Listed Building

Grade: II

List Entry Number: 1316068

Date first listed: 10-Dec-1985

Statutory Address: HOLME FARMHOUSE AND FORECOURT WALL TO EAST, HIGH STREET

NZ 7916 HINDERWELL HIGH STREET (west side) 9/137 - Holme Farmhouse and forecourt wall to east

- II

Farmhouse. Early C19. Coursed squared stone. Welsh slate roof with stone copings and end chimneys with cornice bands. Two storeys, three windows, sashes with glazing bars in plain reveals, slightly projecting cills. Modern central door with oblong fanlight. Low forecourt wall with rounded coping.

Listing NGR: NZ7930816727

End of listing information for these purposes.

Officers Opinion

Excerpt of the letter from Planning Officer:

Borrowby Barn, Hinderwell

The principle tests as to whether a structure is within the curtilage of a listed building relate to the physical layout of the land surrounding the listed building and the relationship of the structures to each other. Historic England (Listed Buildings and Curtilage, Advice Note 10) advises that there are 3 key factors to be taken into account:

1. The physical layout of the listed building and the structure;
2. Their ownership, both historically and at the date of listing; and
3. The use or function of the relevant buildings, again both historically and at the date of listing.

Holme Farm was listed on the 10/12/1985. The site (as with others in the immediate area) are typically of a narrow, linear burgage style where the main farmhouse sits to the front of the site (road fronting) with outbuildings and farm buildings to the rear, extending in linear form down the site (see map extract below, dated 1894). Sales details from circa. 2013 show the farmhouse, outbuildings (incl. the barn in question) and approximately 2.2 acres of grassland being available for sale which would indicate that at that time, the 'unit' was still in the same ownership and therefore meets point 2 above. It is also considered that the barn shared a physical relationship with the main house as although it is sited beyond the immediate outbuildings, these outbuilding have/had openings and through-fares which connected the house to the barn (point 1). It is also noted on sales details as 'the granary' which would also suggest a functional link to the main farmhouse (point 3). In 2019 the farmhouse and immediate outbuildings were put on the market thus indicating that the barn, other modern buildings and the land were now in separate ownership however this subsequent subdivision of the site does not bring about de-listing of a building, or buildings.

Given the barn in question has a physical and functional relationship with the main house and these links are clearly evident, officers consider that it is therefore classed as curtilage listed (unless information can be provided to the contrary). It is important to retain the appearance of these links to the main house, even though the use has changed. An application for listed building consent will be required.

In terms of the conversion scheme proposed, we have no objections to the principle of conversion providing the details, use of materials and any alterations respect the historic and architectural character and fabric of this agricultural building. As with all barn conversions, and especially listed barns, the internal spaces and uses should be influenced by the location of existing openings in order to maximise these, often limited number of openings, for rooms which require light and access.

End of excerpt

Our Objection

The property is a burgage style linear plot, however the access to the farmyard, other than on foot, is not through the farmhouse and associated outbuildings, but along its own independent access, directly from High Street and outwith the perimeter of the front curtilage. There has previously been pedestrian access from the rear of the outbuildings to the farmyard, and hence, the barn. They are physically separate. Historically, there would have been a preference to remove the day to day workings of a farm away from the main dwelling and its curtilage.

The property was in the ownership of a retired farmer and his wife at the date of listing. Following the death of his widow, the house was at times unoccupied or rented out to workers from Boulby mine. During this time, the farmyard and its buildings were in use as part of a business run in conjunction with land and buildings at West End Farm. This was the fate of the farmhouse until the

decision was taken to sell the farmhouse along with the adjacent farmyard, and a small pasture beyond.

In 2013 the property was sold by the heirs of the farmer in whose possession it had been in at the time of listing. It has since been split into 2 properties, the Grade II listed farmhouse and its immediate outbuildings which form a private courtyard which envelops the house to the rear and side. Beyond the outbuildings lies the farmyard and its buildings, with separate access from the road, as has always been the case. *This can be seen in the attached plan.*

The officer states that in the in the 2013 estate agent sales brochure the barn is called “‘*the granary*’ which would also suggest a functional link to the main farmhouse (point 3).” In fact, that the barn is called ‘the granary’ suggests that it has an agricultural use rather than a domestic one. As pointed out above, the farm was being run as part of a larger farm business, together with land and buildings at West End Farm, but the farmhouse was occupied by the retired farmer and his wife, so there was no functionality with the house at the time of listing. And as earlier outlined the farmyard has always enjoyed its own dedicated access ways, as has the farmhouse, having vehicular access immediately to the side of the house, allowing access to the courtyard, but no further.

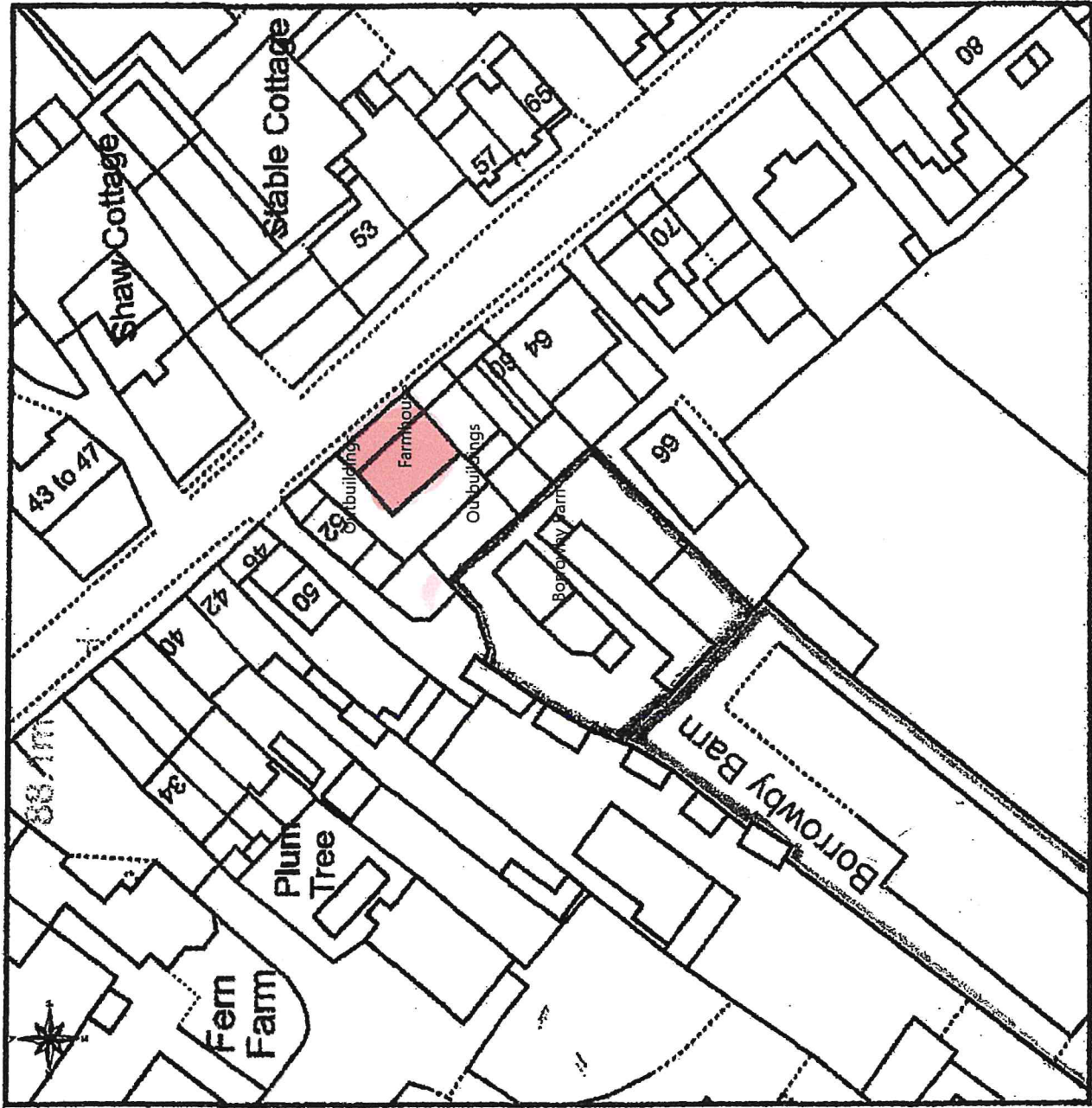
It is also interesting to note that following the listing, the neighbour bricked up an attic window at Holme Farm, without the consent of the farmer. When the farmer approached the planning authorities of the time, he was offered permission to insert skylights into the attic to replace the natural light lost by the bricking up of the window. This does suggest that the listing was considered to be strictly according to the detailed description of the frontage of the property contained in the text of the original listing.

If we refer to the English Heritage Advice Note 10, which deals with curtilages and their definition, then we can find similarities within the examples which reinforce our arguments; In example 2.1 the view is taken that the physical separation of the unlisted farm buildings from the listed farmhouse, combined with the distinction between the mostly domestic nature of the farmhouse and the business-related function of the barn and stable block are likely to mean that they would be considered to be outside its curtilage. (Page 10)

In example 2.2, there is a clear physical relationship, and a domestic function, tying the stable block and granary to the listed farmhouse. This is reflected in the case of Holme Farm, which is encircled by outbuildings which would serve the immediate needs of domestic routines of the household: WC, laundry and possibly a garage and it is believed, served these roles at the time of listing. However, the other farm buildings in this example, are further separated from the farmhouse and both their agricultural business use and the clear physical separation between the farmhouse garden and the other buildings are “quite unlikely to be considered as falling within the curtilage.” In the case of Holme Farm, the courtyard buildings which encircle the farmhouse form the separation of house and farm.

We would also argue that example 2.3 supports the case for Borrowby Barn being independent of the farmhouse, as its vehicular access is from the public road, and not through the farmhouse courtyard.

For these reasons, it cannot be a ‘given’ that there is a physical and functional relationship with the farmhouse. The links are not clearly evident. In fact, the farmhouse is situated in such a way, enveloped by the outbuildings which form its courtyard to the rear, with only pedestrian access ways through to the yard as to expressly remove it from the farmyard and the day to day farm business, which would allow for a separation of work and home when the house was built.



0m 10m 20m 30m 40m 50m 60m 70m

Scale: 1:1250, paper size: A4

This Plan includes the following Licensed Data: OS MasterMap Colour PDF Location Plan by the Ordnance Survey National Geographic Database and incorporating surveyed revision available at the date of production.