

**From:**  
**To:** [Planning](#)  
**Subject:** Comments on NYM/2011/0389/FL - Case Officer Mrs H Saunders - Received from Danby Group Parish Council at c/o Mr John  
**Date:** 11 September 2020 11:18:18

---

The Danby Group Parish Council has no objections to the application.

Comments made by Danby Group Parish Council of c/o Mr John Preston  
27 Whitby Avenue  
Guisborough  
TS14 7AP

Preferred Method of Contact is: Email

Comment Type is No objection  
Letter ID: 550050

**From:**  
**To:** [Planning](#)  
**Subject:** Bird and bat infromatives 15.06.2020-28.06.2020  
**Date:** 30 June 2020 14:56:04

---

Hi,

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

NYM/2020/ 0410/LB  
0406/LB  
0396/FL  
0389/FL  
0417/FL  
0384/LB

If the following applications are approved please can a bird informative be included within the decision notice

NYM/2020/ 0384/LB  
0389/FL

Thanks,  
Victoria

Victoria Franklin  
Graduate Conservation Trainee

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

**From:**  
**To:** [Planning](#)  
**Subject:** RE: Ruswarp Market, Sneaton Lane, Ruswarp, - NYM/2020/0389/FL  
**Date:** 01 July 2020 15:26:10

---

Dear Sir or Madam,

Thank you for seeking the Forestry Commission's advice about the impacts that this application may have on Ancient Woodland. As a non-statutory consultee, the Forestry Commission is pleased to provide you with the attached information that may be helpful when you consider the application:

- Details of Government Policy relating to ancient woodland
- Information on the importance and designation of ancient woodland

**Ancient woodlands are irreplaceable.** They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).

It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless "*there are wholly exceptional reasons and a suitable compensation strategy exists*" (National Planning Policy Framework paragraph 175).

We also particularly refer you to further technical information set out in Natural England and Forestry Commission's [Standing Advice on Ancient Woodland](#) – plus supporting [Assessment Guide and Case Decisions](#).

As a Non Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather we are including information on the potential impact that the proposed development would have on the ancient woodland.

These comments are based upon information available to us through a desk study of the case, including the [Ancient Woodland Inventory](#) (maintained by Natural England), which can be viewed on the [MAGIC Map Browser](#), and our general local knowledge of the area.

We 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  
Forestry Commission England  
Foss House, Kings Pool  
1-2 Peasholme Green  
York  
YO1 7PX

[www.gov.uk/forestrycommission](http://www.gov.uk/forestrycommission)

Following the government's guidance issued about the Coronavirus (COVID-19) outbreak, I am working at home Monday to Friday. You can contact me by email or on my mobile number.

Most Forestry Commission offices are currently closed for the safety of our staff.

If you need to contact us about a **grant or felling licence** please contact the Admin Hub on: [adminhub.buckshornoak@forestrycommission.gov.uk](mailto:adminhub.buckshornoak@forestrycommission.gov.uk)

For all general enquiries, or to contact a Woodland Officer please email

<https://www.gov.uk/coronavirus>

All felling licence applications are now processed through [Felling Licence Online](#). To register an account and start your application online, visit [www.gov.uk/forestrycommission](http://www.gov.uk/forestrycommission)

## 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.

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



**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**

**Application No:** **NYM20/0389/FL**

**Proposed Development:** demolition of existing cafe and w.c. buildings and construction of replacement building

**Location:** Ruswarp Market, Sneaton Lane, Ruswarp

**Applicant:** Mr R Smith

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

**Area Ref:** 4/31/118A **Tel:**

k

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

**Date:** 29 June 2020

**FAO:** Cheryl Ward **Copies to:**

**Note to the Planning Officer:**

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:

The proposed building does not extend onto the areas used by vehicles. The Local Highway Authority does not anticipate any highway issues arising as consequences of this proposal.

Consequently there are **no local highway authority objections** to the proposed development

**Signed:**

***Ged Lyth***

*For Corporate Director for Business and Environmental Services*

**Issued by:**

Whitby Highways Office  
Discovery Way  
Whitby  
North Yorkshire  
YO22 4PZ

**e-mail:**

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Page 2 of 2

Application No:

**NYM20/0389/FL**



---

**From:** Antony Wood

**Sent:** 18 June 2020 10:04

**To:** '

**Subject:** Consultation from SBC Commercial Regulation/Environmental Health - Planning Application Ruswarp Market, Sneaton Lane, Ruswarp, - NYM/2020/0389/FL

Dear Sirs

Having reviewed the above application I have no further comments to make from a Commercial Regulation/Environmental Health perspective.

Yours sincerely

Antony Wood B.Sc.(Hons), M.Sc., P.dip, MCIEH, CEnvH.

Environmental Health Officer

Commercial Regulation

Scarborough Borough Council

[www.scarborough.gov.uk](http://www.scarborough.gov.uk)

Chartered Institute of  
Environmental Health



Chartered EHP



Please be mindful of your Carbon Footprint. Only print if you really need to!

**DISCLAIMER**

This email (and any files transmitted with it) may contain confidential or privileged information and is intended for the addressee only. If you are not the intended recipient, please be aware that any disclosure, copying, distribution or any action taken is prohibited and may be unlawful - you should therefore return the email to the sender and delete it from your system.

For information about how we process data please see our Privacy Notice at [www.scarborough.gov.uk/gdpr](http://www.scarborough.gov.uk/gdpr)

Any opinions expressed are those of the author of the email, and do not necessarily reflect those of Scarborough Borough Council.

Please note: Incoming and outgoing email messages are routinely monitored for compliance with our policy on the use of electronic communications.

This email has been checked for the presence of computer viruses, but please rely on your own virus-checking procedures.



# NORTH YORKSHIRE FIRE & RESCUE SERVICE

NYFRS Reference:

Premises: 00394117  
Job: 1203488

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

When telephoning please ask for: J Butterfield

18 June 2020

Dear Sir or Madam

**Ruswarp Market, Sneaton Lane, Ruswarp, Whitby, YO22 5HL**

## **FIRE SAFETY - COMMUNICATION WITH THE PLANNING AUTHORITY**

Receipt is acknowledged of your planning communication:

Dated: 16 June 2020  
Plans Ref: NYM/2020/0389/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](http://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](http://www.northyorksfire.gov.uk/about-us/key-documents/links-registers).

Ruswarp Market  
Sneaton Lane  
Ruswarp  
Whitby  
YO22 5HL

Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives, Sprinklers Save Lives

[www.northyorksfire.gov.uk](http://www.northyorksfire.gov.uk)

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

Yours faithfully

**J Butterfield**

**Our Ref:** 242-1-2020 MR  
**Your Ref:** NYM/2020/0389/FL

Date 19 June 2020



## Partnership Hub

Mrs H Saunders  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
North Yorkshire  
YO62 5BP

Dear Mrs Saunders,

**Proposal** demolition of existing cafe and w.c. buildings and construction of replacement building  
**Location** Ruswarp Market, Sneaton Lane, Ruswarp

Many thanks for giving North Yorkshire Police (NYP) the opportunity to comment on this application. I have carried out analysis of crime and disorder for a 12 month period (1 June 2019 to 31 May 2020), for an area within a 1Km radius of the site, which showed that the site is located within a relatively low crime & disorder area, with 23 crimes and 11 anti-social behaviour incidents recorded by NYP.

Having reviewed the accompanying documents and drawings that were submitted with the application, I have no comments to make in relation to Designing Out Crime

Yours sincerely,

Mr Mark Roberts  
Police Designing out Crime Officer